Setting up of a Bench of High Court and Supreme Court

393. PROF. P.J. KURIEN: Will the Minister of LAW AND JUSTICE be pleased to state:

(a) whether Government has received representation to set up a Bench of the Kerala High Court at Thiruvananthapuram and a Bench of Supreme Court in the south;

(b) if so, the details thereof;

(c) the reaction of Government to such a proposal; and

(d) the action Government would take in this regard?

THE MINISTER OF LAW AND JUSTICE (SHRI H. R. BHARDWAJ): (a) Representations have been received from time to time from various sources for establishment of Benches of High Courts including that of the Kerala High Court and Supreme Court away from their principal seats.

(b) to (d) Proposal for setting up of a Bench of the High Court is considered on receipt of a complete proposal from the State Government in consultation with the Chief Justice of the High Court. The Chief Justice of Kerala High Court has informed that the High Court has always taken a consistent stand that the establishment of a Bench of the High Court at Thiruvananthapuram is not suitable or feasible.

Similarly, the Chief Justice of the India as well as the Full Court have been consistently opposed to the proposal for setting up of the Benches of the Supreme Court in other parts of the country.

Transparency in selection of judges

394. SHRIMATI KANIMOZHI: Will the Minister of LAW AND JUSTICE be pleased to state:

(a) whether the lack of transparency in selection procedure is resulting in less deserving candidates being selected to judicial positions in High Courts and the Supreme Court; and

(b) the steps being taken by Government to make the selection of judges to the High Courts and Supreme Court transparent?

THE MINISTER OF LAW AND JUSTICE (SHRI H.R. BHARDWAJ): (a) and (b) No, Sir. Pursuant to the Supreme Court Judgement of October 6, 1993 in the Supreme Court Advocates-on-Record & Anr. *Vs.* Union of India, read with the Advisory Opinion of October 28, 1998, the entire process of initiation of proposal for appointment of a Judge of Supreme Court lies with the Chief Justice of India and for the appointment of a Judge of a High Court, with the Chief Justice of that High Court. There is no proposal to change the procedure of selection of the Judges.

Setting up of Supreme Court Benches

395. SHRI AMIR ALAM KHAN: Will the Minister of LAW AND JUSTICE be pleased to state:

(a) whether Government has any plan to set up four Supreme Court Benches in the country;

(b) whether the Supreme Court has endorsed the proposal;

(c) if so, the details thereof; and

(d) if not, the reasons therefor?

THE MINISTER OF LAW AND JUSTICE (SHRI H.R. BHARDWAJ): (a) to (d) According to article 130 of the Constitution, "the Supreme Court shall sit in Delhi or in such other place or places as the Chief Justice of India may, with the approval of the President, from time to time, appoint." However, the Chief Justice of India as well as the Full Court have been consistently opposed to the proposal for setting up of the Benches of the Supreme Court in other parts of the country. However, Advocates-on-Record or the petitioner-in-person can now file cases in the Supreme Court of India through internet.

Reduction in minimum age of marriage of men

396. SHRI SHANTARAM LAXMAN NAIK: Will the Minister of LAW AND JUSTICE be pleased to state:

(a) whether the Law Commission has recommended reducing the minimum age for marriage of men from 21 to 18 years and declaring Union below the age of 16 years as void;

(b) the other prominent recommendations of the Commission with respect to children and matrimonial matters;

(c) whether Government has accepted the suggestions of the Commission; and

(d) if so, by when the required amendments to the concerned legislations are proposed to be introduced in Parliament?

THE MINISTER OF LAW AND JUSTICE (SHRI H.R. BHARDWAJ): (a) Yes, Sir. The Law Commission of India in its 205th Report has recommended reducing the minimum age for marriage of men to 18 years and declaring marriage below the age of 16 years as void.

(b) The details of the recommendations are in Chapter VI of the 205th Report of the Law Commission, which is available on the Law Commission's Website.

(c) and (d) The matter is under consideration with the Government.

Equal status for all Election Commissioners

397. SHRI AMAR SINGH:
SHRI ABU ASIM AZMI:

Will the Minister of LAW AND JUSTICE be pleased to state:

(a) whether he has recently made a statement to the effect that Government was considering a proposal to give equal status to all the Election Commissioners;

(b) if so, the details of the proposal and the reasons therefor; and

(c) by when such a proposal is likely to be brought forward?

THE MINISTER OF LAW AND JUSTICE (SHRI H.R. BHARDWAJ): (a) to (c) The proposal to give equal status to all Election Commissioners as available to the Chief Election Commissioner under clause (5) of article 324 of the Constitution is a part of the Electoral Reforms which is presently under consideration of the Department Related Parliamentary Standing Committee on Personnel, Public Grievances, Law and Justice. The proposal